

6:30 p.m. Executive Session:

- **Negotiations**
- **Appointment of a public official**

6:45 p.m. Study Session:

- **Retreat**
- **Unsafe Structures**
- **Water Tower Bids**

Agenda

Tipp City City Council

7:30 p.m. Monday, February 1, 2010

Tipp City Government Center

260 South Garber Drive

Tipp City, Ohio 45371-3116

	Agenda Item	Presenter
1.	Call to Order - Roll Call	President Hale
2.	Prayer for Guidance, Pledge of Allegiance	Father Marc Sherlock, St. John the Baptist Catholic Church
3.	Motion to Approve the Agenda	President Hale
4.	Minutes of the January 18, 2010 Pre-Meeting Study Session Minutes of the January 18, 2010 City Council Meeting	President Hale
5.	Presentations, Proclamations, & Awards	President Hale
6.	Legislation	
	Ordinances <i>(second reading)</i> A. Ordinance No. __-10: An ordinance adopting a revised Codification of the Tipp City Municipal Code. <i>(Sponsored by Mr. Lovett)</i> <u>Summary:</u> American Legal Publishing of Cincinnati has submitted the 2009 supplement to the Tipp City Code of Ordinances, which contains ordinances enacted in previous years and revisions to ordinances that make reference to sections of the Ohio Revised Code that have changed. The Clerk of Council has reviewed the code updates and recommends acceptance of the supplement.	Mr. Crusey

	<p>B. Ordinance No. __-10: An ordinance authorizing the abatement of unsafe structures and enacting codes Sections 94.70 to 94.76 of the Codified Ordinances for the City of Tipp City. <i>(Sponsored by President Hale)</i></p> <p><u>Summary:</u> This ordinance updates Tipp City's existing code to adequately address this process or procedure.</p>	
	Resolutions <i>(one reading required)</i>	Mr. Crusey
	Ordinances <i>(first reading)</i>	Mr. Crusey
8.	<p>Motions</p> <p>A. A motion to approve filling a vacant position in the Parks Department.</p> <p>B. A motion granting attendance awards to ten employees for 8 hours or less of sick leave usage in 2009.</p> <p>C. A motion to make an appointment to the Building Standards Board of Review for a partial term expiring March 31, 2012.</p> <p>D. A motion to make an appointment to the Planning Board for a partial term expiring December 31, 2011.</p> <p>E. A motion to make an appointment to the Tree Board for a term expiring December 31, 2012.</p> <p>F. A motion to make an appointment to the Board of Zoning Appeals for a partial term expiring December 31, 2011.</p> <p>G. A motion to set a date for a Public Hearing regarding the Gardens Alive appeal on a BZA decision.</p> <p>H. A motion to set a date for a Public Hearing regarding Holiday Inn's appeal on a BZA decision.</p>	Council President
11.	Miscellaneous	
12.	Citizen Comments on Items Not on the Agenda	
13.	Comments of Councilmembers/City Manager	
14.	Adjournment	

Council welcomes the comments and input of the public during the Council meetings. In order to provide an orderly fashion in which all interested parties have an opportunity to address Council, Council has adopted the following procedure for citizen's comments during any portion of the Council meeting or Public Hearing.

Any citizen who wishes to address Council must first seek recognition from the President of Council. Upon recognition by the President, the speaker should approach the podium, state their name and make their comments. Speakers should not leave the podium to approach Councilmembers without first obtaining permission. After completion of their comments, Council would request that the speakers return to their seat so that any other interested persons could then be recognized and address Council.

The purpose of this procedure is to afford the maximum opportunity for citizen input without any type of disruption of the Council proceedings. While others are addressing Council from the podium, Council requests that audience members not make comments to Council or to individuals at the podium to prevent any potential confusion or disruption.

AGENDA

ORDINANCES – Second Reading

- A. **Codification** – The adoption of this ordinance would approve the codification of legislation that has been passed by City Council since the last codification in 2006. Codification involves placing laws in a code in a systematic order. Section 4.17(B) of the Tipp City Charter requires that Council periodically “provide for the preparation of a general codification of all ordinances and resolutions having the force and effect of law.” The cost for codification is estimated at \$11,550.
- B. **Unsafe Structures** – This ordinance would enact legislation providing the City the authority to order the repair or removal unsafe structures, per Section 715.26 of the Ohio Revised Code. Whenever the City Engineer, or designee, determines that a structure is insecure, unsafe or structurally defective he shall notify the owner by certified mail giving the owner 30 days to voluntarily repair or remove the structure or reach an agreement with the City to bring the structure into compliance. The Engineer also has the authority to require the structure to be vacated with less than 30 days notice. If the owner fails to repair or remove the structure the City Manager may cause the repair or removal of the structure at the owner’s expense. The owner may appeal to City Council within 10 days the Engineer’s order to repair or remove any structure. Whenever it is determined that a building condition exists that poses an imminent threat, requiring immediate response to protect the public’s health and safety, or to protect the occupants thereof from collapse, contamination or conflagration, the City Manager may issue an order requiring the immediate vacation of the premises and/or abatement of the hazardous condition. If the owner fails to act immediately, the City Manager is authorized to have the hazard abated at the owner’s expense.

MOTIONS

- A. **Filling Parks Department Maintenance Worker Position** – City Council enacted a hiring freeze via Resolution 06-09. Parks Maintenance Specialist Matt Dungan was recently appointed to the position of Maintenance Specialist in the Water/Wastewater Department. The Parks Department consists of one Superintendent, one Equipment Operator and two Maintenance Specialists. A motion authorizing the filling of the vacant Maintenance Specialist position is necessary to maintain adequate personnel for maintenance activities in the Parks Department.
- B. **2009 Attendance Awards** - Each year, Council has provided to City employees a bonus for attendance and non-use of sick leave. Employees with zero sick leave usage are awarded \$100 and employees with between 1 and 8 hours of sick leave are recognized with a \$50 award. In 2008 there were 10 employees who received this bonus. This year’s recipients are:

<u>EMPLOYEE</u>	<u>DEPARTMENT</u>	<u>SICK LEAVE USED</u>
Marilyn Fennell	Comm. & E. D.	0
Jane Monnin	Finance	0
Dan Rittenhouse	Police	0
Brad Vath	Comm. & E. D.	0
Matt Spring	Comm. & E. D.	0
Scott Vagedes	Engineering	0

Ryan McCarroll	Electric	0
Roy Morgan	Electric	0
George Wells	Electric	0
Kevin Price	Water/Wastewater	0

- C. **Building Standards Board of Appeals Appointment** - The Clerk of Council has received an application for the vacancy on the Building Standards Board of Appeals, which term expires March 31, 2012. Enclosed in your packet is the application that was received. A motion appointing an individual to the term expiring March 31, 2012 would be appropriate.
- D. **Planning Board Appointment** – The Clerk of Council has received two applications for the vacancy on the Planning Board, which term expires December 31, 2011. Enclosed in your packet are the two applications that were received. A motion appointing an individual to the term expiring December 31, 2011 would be appropriate.
- E. **Tree Board Appointment** – The Clerk of Council has received one application for the vacancy on the Tree Board, which term expires December 31, 2012. A motion appointing an individual to the term expiring December 31, 2012 would be appropriate.
- F. **Board of Zoning Appeals Appointment** – The Clerk of Council has received one application for the vacancy on the Board of Zoning Appeals, which term expires December 31, 2011. A motion appointing an individual to the term expiring December 31, 2011 would be appropriate.
- G. **GardensAlive! BZA Appeal** – A motion is needed from Council to set a public hearing date of February 16, 2010 for GardensAlive!’s appeal of a BZA decision. On January 20, 2010 the BZA upheld the Planning Board denial of GardensAlive!’s request to modify the off-street parking requirements and paving requirement at 475 E. Evanston Road.
- H. **Holiday Inn BZA Appeal** – A motion is needed from Council to set a public hearing date of February 16, 2010 for Holiday Inn Express’ appeal of a BZA decision. On January 20, 2010 the BZA upheld the decision of the Zoning Administrator that the Zoning Code does not authorize the granting of variances for sign area.